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OFFICE OF PETITIONS

In re Application of :
John C. Jones, et al. :
Application No. 10/612,877 :
Filed: July 7, 2003 :
Attorney Docket No. 527122000400 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 27, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply to the Restriction Requirement mailed December 1, 2004.


The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Response to Restriction Requirement; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay.

37 CFR 1.137(d) requires a terminal disclaimer dedicating to the public a terminal part of the term of any patent granted on the above-identified application or any patent granted on any continuing application that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application.

Since the application is not a utility or plant application filed before June 8, 1995, a terminal disclaimer is not required. Accordingly, the terminal disclaimer filed with the instant petition is unnecessary. Petitioner may request a refund of the \$65 terminal disclaimer fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany such a request.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3223.

The application file is being referred to Technology Center 2871.


Marianne E. Jenkins
Petitions Examiner
Office of Petitions